



New York, NY 10007

Application GRANTED on consent. However, given the amount of time that already has passed since Defendants filed their motions on March 15, 2021, no further extensions shall be granted absent exigent circumstances. SO ORDERED.

Dated: June 7, 2021



Re: *Kumaran et al vs. National Futures Association et al* 1:20-Cv-03668-GHW-SDA

Dear Judge Aaron;

Pursuant to Local Rule 6.1 and Individual Rules 1.D, Plaintiffs write related to the upcoming schedule in case 20-CV-03668. Upon consent of all Defendants, Plaintiffs respectfully request to move the schedule to the following dates;

Opposition to MTD: +14 days - June 16, 2021 → June 30, 2021

Response to MTD: +14 days - July 16, 2021 → July 30, 2021

Primary Good Cause Reason:

Plaintiffs have not been dilatory and are working round the clock on this and related cases and have digested the motions. There are two distinct motions to be replied to by both Kadlec and NFA requiring separate responses. NFA's response encompasses significant case law across multiple jurisdiction. Because many issues have not been before this District before, it makes the briefing more thorough and requires additional time to solidify the points. As further review has been done, the NFA case contains several *first impression* areas of law that need careful attention (especially) for persons who are not formerly trained in the law, and it is more demanding than originally thought. This would be difficult even for the most seasoned law firms, and Plaintiffs are having research for the first time several issues to make sure its arguments are thoroughly and fairly presented. Mr. August also is a solo practitioner without interns and associates.

Other Good Cause Reason

1. When Plaintiffs determined the original schedule of June 16th 2021 it was with the understanding there would be no overlapping motion practice in related cases. (*ECF*83). Since then the Court ordered in related case 20-CV-3873, all Arbitration records to be filed publicly on May 21 2021. (*See 20-CV-3873 ECF*51). As such Plaintiffs had to rapidly prepare and file a motion to seal related confidential and financially sensitive data by May 25, 2021. (*See 20-CV-3873 ECF*55, *ECF*56). That motion was time sensitive and urgent to prevent immediate and irreparable injury of financial records were filed publicly In addition Plaintiffs had to check all the Arbitration filings that spanned nearly 18 months to check for the records and redact sensitive information. That was also completed May 26, 2021 (*ECF*58 and *ECF*59). In addition there has been other motion practice related to NAM and NHC (3873 – *ECF*62). This also contributed to being about two weeks behind.

2. Plaintiffs have also yesterday engaged in Meet and Confer with NFA and ADMIS related to outstanding subpoenas and potentially re-issuing them under a different form as a Motion for Expedited Discovery. The parties are researching the appropriate mechanism incase they were incorrectly filed. This also will require additional motion practice.

3. As NYC reopens (and schools reopen) Plaintiff Kumaran is in the process of a relocation as many people worked remotely during the pandemic. This has to be completed within the next 6-8 weeks and amounts to a house move. This was unforeseen at the time of prior scheduling and needs to be done between now and to be complete by the middle of July.

4. Finally as stated above, the above motion is quite complex as it involves several first impression areas of law.

5. **Defendants have consented to the adjusted schedule for all parties.**

Significant progress has been made on the response to date, but Plaintiffs anticipate in advance needing the time for the reasons above, as the additional case law requires substantial additional research on first impression issues. Further Plaintiff's relocation burdens in the summer are real, which are significantly impeding its ability to sustain constant work flow in order to make sure that logistics are taken care of, as the world transitions back to NYC opening and there is a legitimate house move underway. We are though working amidst this and hopeful to get it done by the time prescribed.

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Thank you in advance.

Respectfully submitted,

//SSK//

Samantha Siva Kumaran

//BMA//

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